UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,201	12/30/2000	Bradley W. Mitchell	42390P10208	8111

8791	7590	01/31/2006		EXAMINER

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ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 January 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the appeal brief filed on 11/07/05.

2.   In view of the Appeal Brief filed on 11/07/05, PROSECUTION IS HEREBY

REOPENED. The set forth below.

To avoid abandonment of the application, appellant must exercise one of the

following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed

by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

Claims 1-31 are pending in this Office Action.

Drawings

3.   Applicants' have filed informal drawings. Formal drawings will be required when

the application will be allowed.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.   Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Crookham et al. ('Crookham' hereinafter), USPGPUB 2005/0138106.

With respect to claim 1,

Crookham discloses a method of compiling electronic data (para. 0045) comprising:

(a) receiving electronic data on a computing platform from at least one external source (para. 0087);

(b) inserting at least a portion of the collected data into one or more data fields (para. 0033, Fig. 4), wherein said one or more data fields comprise an electronic scoreboard of interrelated data (para. 0032);

(c) updating said electronic scoreboard of data (para. 0036); and

(d) calculating at least one measurement of updated scoreboard data (para. 0087).

As to claim 2,

Crookham teaches wherein said at least one external source comprises a remote computing platform coupled by a network to the computing platform that receives the electronic data (para. 0095, Fig. 1A, 2).

As to claim 3,

Crookham teaches wherein said at least one external source further comprises data collection software executing on said remote computing platform (para. 0097, Fig. 10).

As to claim 4,

Crookham teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of time has elapsed (paras. 0030, 0032).

As to claim 5,

Crookham teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of data is collected (paras. 0045, 0085).

As to claim 6,

Crookham teaches wherein said one or more data fields contain one or more periodically updated lists of related electronic data values (para. 0075 and Fig. 4).

With respect to claim 7,

Crookham discloses a method of reporting electronic data, said method (para. 0076) comprising:

(a) retrieving at least a portion of one or more measurement values (para. 0081);

(b) comparing (para. 0078) a least a portion of one or more measurement values to one or more threshold values (para. 0091, threshold 'predefined');

(c) determining whether to designate at least a portion (para. 0045) of the electronic data related to the one or more measurement values for reporting, based at least in part on the comparison (para. 0088); and

(d) sending at least the portion of the electronic data designated for reporting to a remote device (para. 0087).

As to claim 8,

Crookham teaches wherein the one or more measurement values comprise statistical values obtained from a sample of the electronic data (para. 0081).

As to claim 9,

Crookham teaches wherein said one or more threshold values (para. 0091, threshold 'predefined') comprise one or more numerical values that relate at least in part to said statistical values (para. 0077).

As to claim 10,

Crookham teaches wherein the electronic data comprises text data (para. 0084).

As to claim 11,

Crookham teaches wherein comparing comprises: comparing (para. 0078) the one or more threshold values to the one or more measurement values, and issuing at least one electronic report if the one or more measurement values exceeds the one or more threshold values (para. 0091, threshold 'predefined').

As to claim 12,

Crookham teaches wherein the one or more threshold values are configurable

(para. 0091, threshold 'predefined').

As to claim 13,

Crookham teaches wherein the configuration is determined by a user (para.

0078).

As to claim 14,

Crookham teaches wherein the remote device comprises a computing platform

capable of receiving electronic data (Figs. 1A and 2).

As to claim 15,

Crookham discloses a method of generating electronic reports (para. 0040), said

method comprising:

(a) collecting electronic data from at least one external source (para. 0096);

(b) inserting the collection of electronic data into a plurality of associated data

fields (Fig. 4, para. 0072);

(c) assigning scores to at least a portion of the data contained in the plurality of

data fields (para. 0109);

(d) issuing electronic reports based at least in part on said scores (paras. 0010,

0045).

As to claim 16,

Crookham teaches wherein steps (b), (c) and (d) are repeated based at least in

part on additional collected electronic data (para. 0088).

With respect to claim 17,

Crookham discloses a method of data reduction (para. 0030) comprising:

receiving interrelated electronic data regarding electronic transactions occurring via at least one selected web site (para. 0095, Fig. 9);

compiling said interrelated data into a plurality of data fields (Fig. 4), said data fields arranged to provide sample statistics of said interrelated data (para. 0081);

updating said interrelated electronic data fields with additional data regarding more recent electronic transactions occurring via said at least one selected web site, wherein said updating updates said sample statistics (para. 0081);

after at least one update, comparing said updated sample statistics (para. 0081) with at least one preset threshold value (para. 0091, threshold 'predefined'); and

generating at least one report based at least in part on the comparison (para. 0078).

As to claim 18,

Crookham teaches wherein said sample statistics comprise at least the mean and standard deviation (para. 0081).

As to claim 19,

Crookham teaches wherein said threshold value is configurable (para. 0091, threshold 'predefined').

As to claim 20,

Crookham teaches and further comprising: updating said one or more data fields

by omitting at least a portion of the collected electronic data other than said additional

data (Fig. 4).

As to claim 21,

Crookham discloses a method of displaying electronic data, said method (para.

0081) comprising:

(a) receiving at least a portion of electronic data reports from at least one

external source, wherein the electronic data reports comprise electronic data collected

and compiled, and reported based at least in part on a priority system (para. 0081); and

(b) displaying (Fig. 6) at least a portion of the electronic data reports as a

computer output (Fig. 1A, 2).

As to claim 22,

Crookham teaches wherein said electronic data reports comprise data at least

partially relating to online or internet activity (para. 0081, Fig. 11).

As to claim 23,

Crookham teaches wherein said priority system comprises comparing one or

more threshold values to one or more statistical or representative values of at least a

portion of the collected electronic data (para. 0081 and 0061).

As to claim 24,

Crookham discloses an article (para. 0040) comprising:

a storage medium having stored thereon instructions (Fig. 1A), that when

executed by a computing platform, result in execution of an electronic report generator

(para. 0045), by:

collecting electronic data from at least one external source (para. 0096);

compiling said collected electronic data (para. 0081); and

reporting said compiled electronic data based at least in part on a priority basis

(para. 0040).

As to claim 25,

Crookham teaches wherein said medium further has stored thereon instructions

that, when executed, result in said electronic data being compiled by inserting at least a

portion of said collected electronic data into one or more data fields (para. 0045).

As to claim 26,

Crookham teaches wherein said medium further has stored thereon instructions

that, when executed, result in determining one or more measurement values of said

electronic data, wherein said measurement values comprise one or more representative

values of at least a portion of said collected electronic data (paras. 0045, 0085).

As to claim 27,

Crookham teaches wherein said medium further has stored instructions that,

when executed, result in determining priority based at least in part on the comparison of

said one or more measurement values to one or more threshold values, wherein said

one or more threshold values comprises one or more numerical values that relate at

least in part to said one or more measurement values (para. 0091, threshold

'predefined').

With respect to claim 28,

Crookham discloses a system for generation of electronic reports (para. 0045)

comprising:

a computing platform (Fig. 1);

said computing platform being adapted to, in operation, perform the generation of

electronic reports (para. 0045) by:

collecting electronic data from at least one external source (para. 0096);

compiling said collected electronic data (para. 0081); and

reporting said compiled electronic data based at least in part on a priority basis

(para. 0040).

As to claim 29,

Crookham teaches wherein compiling said collected electronic data further

comprises inserting at least a portion of said collected electronic data into one or more

data fields (Fig. 4).

As to claim 30,

Crookham teaches wherein compiling said collected electronic data further

comprises determining one or more measurement values of said collected electronic

data, wherein said one or more measurement values comprise one or more

representative values of at least a portion of said collected electronic data (para. 0033,

Fig. 4).

As to claim 31,

Crookham teaches wherein said priority basis is determined based at least in part on a comparison of said one or more measurement values to said one or more threshold values, wherein said one or more threshold values comprise one or more numerical values (para. 0058) that relate at least in part to said one or more measurement values (para. 0091, threshold 'predefined').

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mohammad Ali whose telephone number is (571) 272-

4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Ali
Primary Examiner
Art Unit 2166

MA
January 27, 2006

**HOSAIN ALAM
SUPERVISORY PATENT EXAMINER**